

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-34 are currently pending in this application. Claims 1, 11, 12 and 14 are independent. Claims 1, 5-15, 17, 18, 20 and 21 have been amended in this response. Claims 4 and 16 are hereby cancelled, without prejudice. New claims 22-34 have been added. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §112 AND OBJECTIONS

Claims 4-10 and 15 were rejected under 35 U.S.C. §112 as allegedly indefinite. Claim 4 has been cancelled and claims 5-10 and 15 have been amended in this response, thereby obviating the rejection.

The drawings were objected to in the Office Action. Applicant submits that the elements recited in claims 7 and 8 are supported by Figs. 6B, 6C, and 7A-7D respectively in the application as originally filed.

III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-6 and 9-21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,332,024 to Inoue et al. (hereinafter, merely “Inoue”) in view of U.S. Patent No. 6,128,012 to Seidensticker Jr. et al. (hereinafter, merely “Seidensticker”).

As understood by Applicant, Inoue relates to a telephone handset including a front surface with a display and a keypad. The keypad includes a group of keys for entering alphanumeric signs and a key for navigating a cursor in the display. The navigation key is placed in the front surface of the phone between the display and the group of alphanumeric keys, and it includes a roller body which extends partly through an opening in the front surface of the phone. The roller body is essentially cylindrical with a length and diameter of the same size as the width of the keys in said group of keys for entering alphanumeric signs.

As understood by the Applicant, Seidensticker relates to a user interface for a device that stores and displays data, and more specifically, to a device having a processor that manages data presentation and access in which the user interface enables control, selection, and viewing of data items and options displayed on a screen.

Independent claim 1 recites, *inter alia*:

“A portable communication apparatus comprising:
a display unit configured to display a plurality of lists in a hierarchy ...

a controller configured to shift said pointer to a desired position in accordance with an operation of said operation unit, **to eliminate a mark indicating a direction if said pointer can not be shifted to another list in the direction from the currently displayed list**” (Emphasis added)

Applicant submits that none of the cited references, either alone or in combination, teach or disclose the above identified feature of claim 1. Specifically, Applicant submits that there is no teaching or suggestion in Inoue or Seidensticker for a display unit configured to display a

plurality of lists in hierarchy and to eliminate a mark indicating a direction if the point cannot be shifted to another list in the direction from the currently displayed list, as recited in claim 1.

Applicant further submits that the cited references disclose a controller eliminating a mark if the controller detects there is another item which is not displayed on a currently displayed list (Figs. 6A, 6B). In other words, none of the references disclose a controller eliminating the mark based on the existence of other lists.

Therefore, claim 1 is patentable. For similar reasons, independent claims 11, 12 and 14 are also believed to be patentable.

IV. DEPENDENT CLAIMS

The other claims are dependent from the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any
overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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